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VIA ECF

United States District Court
Southern District of New York
Attn: Hon. Victor Marrero, U.S.D.J.
500 Pearl Street, Courtroom 15B
New York, NY 10007-1312

Re: Rosenfield & Co., PLLC v. Trachtenberg, Rodes & Friedberg LLP, et al.
S.D.N.Y. Case No.: 1:21-cv-3858 (VM) (KHP)

Dear Judge Marrero:

This firm represents all of the Defendants in the above-referenced case with the exception of Trachtenberg, Rodes & Friedberg LLP (hereinafter the "Star Defendants").

Defendant Trachtenberg, Rodes & Friedberg LLP and Third-Party Defendants Barry Friedberg and Leonard Rodes (the "TRF Defendants") submitted a letter yesterday [ECF Doc. No. 103] arguing that Star Defendants' Amended Cross-Claims and Third-Party Complaint does not remedy the deficiencies identified in their previously filed motion to dismiss. Star Defendants disagree, but in any event, Star Defendants' Amended Cross-Claims and Third-Party Complaint is now the operative pleading that replaced the pleading that formed the basis of TRF Defendants' motion to dismiss; therefore, Star Defendants respectfully submit that TRF Defendants should file a motion to dismiss Star Defendants' Amended Cross-Claims and Third-Party Complaint. Star Defendants propose the following briefing schedule:

- TRF Defendants shall file their motion to dismiss the Amended Cross-Claims and Third-Party Complaint on or before September 15, 2022;
- Star Defendants shall file their opposition on or before October 17, 2022; and
- TRF Defendants shall file their reply on or before October 31, 2022

Respectfully submitted,

In light of the filing of the First Amended Third Party Complaint (Dkt. No. 102), the motion at Dkt. No. 94 is moot. TRF Defendants are ordered to refile their motion as to the First Amended Third Party Complaint, following the briefing schedule set forth above. If the parties consent to the consolidated briefing schedule set forth in the Court's June 14 Order, they should follow the same briefing requirements set forth in that Order. However, if they believe full or supplemental briefing is necessary, they shall inform the Court within one week of the date of this Order.

ROUP PLLC

SO ORDERED.

8/15/2022

DATE


VICTOR MARRERO, U.S.D.J.